

London Councils' Transport and Environment Committee

Additional Parking Charges for the London Borough of Ealing and the London Borough of Hounslow

Item No: XX

Report by: Mital Patel **Job title:** Transport Officer
Date: 10 March 2020
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Summary: This report details the proposal by the London Borough of Ealing (LB Ealing) and the London Borough of Hounslow (LB Hounslow) to amend the penalty charge banding from Band B to Band A across both boroughs.

Recommendations: The Committee is asked to:

- Approve the proposal to change the penalty banding in the LB Ealing and LB Hounslow

Introduction:

1. Under the provisions set out in the Traffic Management Act 2004 (Schedule 9), which repealed similar provisions in the Road Traffic Act 1991, London Councils' Transport and Environment Committee is responsible, subject to agreement by the Mayor of London and possible veto of the Secretary of State, for setting additional parking charges on borough roads. These additional parking charges include:
 - penalties for contraventions of parking regulations including any surcharges or discounts;
 - release from wheel clamps;
 - removals from the street;
 - storage charges and disposal fees
2. The discount payment rate for early payment has been set at 50%. The amount of any surcharge has not changed since this was set at 50% by Schedule 6(6)(1) of the Road Traffic Act 1991.

3. The Committee has reviewed the level of additional parking charges regularly since 1992, when they were first set. The Committee undertook a major review of the charges during 2006 which led to the introduction of differential penalty levels, and again in 2010 where there was an increase in the penalty levels for the more serious contraventions. The current on- and off- street parking penalty charges are as follows:

	Higher Level	Lower Level
Band A	£130	£80
Band B	£110	£60

4. The current London banding map can be seen in *Appendix 1*. Band A areas have traditionally been focussed in Central London and urban centres where the pressures on parking and congestion are often greatest. Band B areas have historically concentrated in outer London where pressures on parking are not as significant. However, due to issues with non-compliance, some outer London authorities with higher density parking and significant controlled parking zones have become Band A areas. Higher level penalties apply to contraventions which are considered more serious, such as parking on yellow lines or where an obstruction is caused. Lower level penalties apply generally where parking is permitted but the regulations are contravened, such as overstaying on a pay and display bay.
5. London Councils has no current plans for a London-wide review of the additional parking charges and are not aware of any Government plans for a review of the penalty levels for the rest of the United Kingdom.

Guidance on Additional Parking Charges:

6. Under the Traffic Management Act 2004 the Secretary of State produced guidance, to which all authorities must have regard. This document is called the Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions ("the Statutory Guidance") and states that; "The primary purpose of penalty charges is to encourage compliance with parking restrictions. In pursuit of this, enforcement authorities should adopt the lowest charge level consistent with a high level of public acceptability and compliance." (Para. 4.1).
7. It is also the Committee's policy that additional parking charges should be set in such a way as to produce a coherent pattern of policy across London.

LB Ealing Proposals for Change:

8. LB Ealing is proposing to change from being Band B to being Band A across the whole borough (please see *Appendix 2* of this report).
9. The borough comprises of Band B charging levels, of which approximately 33% is covered by Controlled Parking Zones (CPZs) with further loading and waiting restrictions strategically placed at various locations.
10. Figure 3 contained within LB Ealing's application (please see *Appendix 2* of this report) indicates that between 2016/17 and 2018/19 the total number of on-street parking Penalty

Charge Notices (PCNs) issued each year has increased from 70,608 to 100,134 which equates to a 41.8% increase.

11. LB Ealing has stated that it is investing millions in regeneration projects to build on the strengths of the borough's existing economy to help development, employment and business opportunities. This has meant a substantial increase in parking demands both on and off street due to an increase in population, development and economic vibrancy over the years and this has had a negative impact on compliance with its parking regulations despite the fact that very few parking places have been lost as a result.
12. LB Ealing carried out a public consultation as part of this proposal and the results can be found in Appendix 2 of LB Ealing's application (please see *Appendix 2* of this report).
13. It is TEC's policy that the boundaries between areas of different penalty bands are clearly demarcated; this is to avoid the possibility of having different bands on opposing sides of the same road or in the same street. Those roads that have signs clearly identifying that the driver has entered LB Ealing, where the boundary crosses the road, are not affected and can be enforced as Band A. Those without borough identifiers will need to remain Band B.
14. LB Ealing has boundaries with LB Brent, LB Hammersmith & Fulham, LB Harrow, LB Hillingdon and LB Hounslow. There are a number of boundary locations in all named boroughs above where LB Ealing will need to continue enforcing Band B excluding LB Hammersmith & Fulham. LB Hammersmith & Fulham is already Band A, so any shared boundaries with LB Ealing will not impact the ability for LB Ealing to enforce Band A.
15. Any boundary roads in LB Hammersmith & Fulham that are currently being enforced as a Band B due to a boundary with LB Ealing will be enforceable as a Band A once final approval has been received and the new banding regime commences.
16. LB Ealing have provided a list of boundary roads to London Councils officers, who will assess what the banding should be at each location and respond accordingly.
17. Boundary roads with LB Hounslow will also be assessed however, if both authorities receive TEC approval and the applications proceed within the same timeframe, this will not be an issue as the banding between the two boroughs will be the same.

LB Hounslow Proposals for Change:

18. LB Hounslow is proposing to change from being Band B to being Band A across the whole borough (please see *Appendix 3* of this report).
19. The borough comprises of Band B charging levels, of which approximately 33% is covered by Controlled Parking Zones (CPZs), with additional waiting and loading restrictions on primary and secondary roads and smaller 'Stop and Shop' schemes.
20. Table 2 contained within LB Hounslow's application (please see *Appendix 3* of this report) indicates that between 2016/17 and 2018/19 the total number of on-street parking Penalty Charge Notices (PCNs) issued each year has increased from 81,281 to 100,916 which equates to a 24% increase compared to a 7% increase for the rest of London.
21. Table 3 contained in LB Hounslow's application (please see *Appendix 3* of this report) identifies four contravention groups that are of particular concern within the borough due to the disproportionate impact they have on commerce, public transport and the vulnerable.

22. LB Hounslow has already experienced significant residential and commercial development and a reduction in parking places, and it will see further growth in population as these projects continue to take place, with no planned increase in parking provisions. This has meant a substantial increase in parking demands both on and off street and has had a negative impact on compliance with its parking regulations.
23. LB Hounslow carried out a public consultation as part of this proposal and the results can be found in Appendix 2 of LB Ealing's application (please see *Appendix 3* of this report)
24. As previously stated, it is TEC's policy that the boundaries between areas of different penalty bands are clearly demarcated; this is to avoid the possibility of having different bands on opposing sides of the same road or in the same street. Those roads that have signs clearly identifying that the driver has entered LB Hounslow, where the boundary crosses the road, are not affected and can be enforced as Band A. Those without borough identifiers will need to remain Band B.
25. LB Hounslow has boundaries with LB Ealing, LB Hammersmith & Fulham, LB Hillingdon and LB Richmond. There are a number of boundary locations in all named boroughs above where LB Hounslow will need to continue enforcing Band B excluding LB Hammersmith & Fulham. LB Hammersmith & Fulham is already Band A, so any shared boundaries with LB Hounslow will not impact the ability for LB Hounslow to enforce Band A.
26. Any boundary roads in LB Hammersmith & Fulham that are currently being enforced as a Band B due to a boundary with LB Hounslow will be enforceable as a Band A once final approval has been received and the new banding regime commences.
27. LB Hounslow have provided a list of boundary roads to London Councils officers, who will assess what the banding should be at each location and respond accordingly.
28. Boundary roads with LB Ealing will also be assessed however, if both authorities receive TEC approval and the applications proceed within the same timeframe, this will not be an issue as the banding between the two boroughs will be the same.

Timetable for Implementation:

29. Any changes to penalty levels agreed by the Committee need the approval of the Mayor. If the Mayor agrees the changes, the Secretary of State has 28 days to exercise a veto over any changes. The committees' decisions will be formulated into a set of proposals to be presented to the Mayor of London for approval. If approved, they will be presented to the Secretary of State for Transport for their consideration. The boroughs involved would then need to advertise their proposed changes for at least three weeks prior to implementation.

Financial Implications:

30. There are no financial implications for London Councils arising from this report.

Legal Implications:

31. There are no legal implications for London Councils or the boroughs arising from this report. However, members may wish to note the decision on penalties is taken by London Councils' TEC on behalf of boroughs for borough roads, and by TfL for GLA roads.

The TfL member of London Councils' TEC may not take part in the proceedings of the borough decision (see Reg. 24 of the Civil Enforcement Parking Contravention Regulations 2007).

Equalities Implications:

32. There are no equality implications for the boroughs or London Councils arising from this report.

Recommendations: The Committee is asked to:

- Approve the proposal to change the penalty banding in the LB Ealing and LB Hounslow

Appendices:

Appendix 1: Existing on and off-street penalty charge bands

Appendix 2: LB Ealing application to change the banding level from Band B to Band A.

Appendix 3: LB Hounslow application to change the banding level from Band B to Band A.

Appendix 2 – Existing Bandings in London

Existing on-street penalty charge bands



Existing off-street penalty charge bands



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 London Councils
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 London
 SE1 0AL

Ealing Council
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 14-16 Uxbridge Road
 London W5 2HL

Tel 020 8825 5000

6th March 2020

To the Members of the Transport and Environment Committee

RE: Application to amend the Penalty Charge Notice Banding in Ealing

The London Borough of Ealing is seeking an agreement from the Transport and Environment Committee to amend the borough's Penalty Charge Notice (PCN) banding from the current Band B to Band A.

This letter is a formal application for the Transport and Environment Committee to consider this proposal.

Fig 1 – Map of current Band A / Band B London Boroughs

Existing on-street penalty charge bands



Current Banding

The London Borough of Ealing is a Band B borough for Parking offences meaning that the lower set of charges apply as shown in Fig 2 below, with the higher Band A charges also shown for comparison.

In all instances, a 14-day 50 % discount rule applies, and the discounted amounts are also shown below.

This change would see Ealing move to Band A and the higher level of charges, in effect increasing the payment for a PCN at discount amount by £10 to £65 & £40 (the rate that the majority are settled at).

Fig 2 – Parking PCN Banding Amounts

PCN Band Level	Higher charge	Discount higher charge	Lower charge	Discount lower charge
B (Current level)	£110	£55	£60	£30
A (Proposed level)	£130	£65	£80	£40

Background:

In recent years Ealing has experienced a substantial increase in the demand placed on its parking stock both on and off-street. Increasing population, development and economic vibrancy all contribute to add pressure to a finite resource. In parallel to this increased demand, we have also experienced an increase in non-compliance with parking restrictions. This has manifested itself in an ever-increasing number of Parking Penalty Charge Notices (PCNs) being issued each year for the past few years.

In the three years between 2016/17 and 2018/19 Parking PCN levels have risen by 41.8% (Fig 3 below).

Across the rest of London, the increase for the same period was 6.8%. A full breakdown of all Parking PCNs issued across London for the same period is included as Appendix 1.

Fig 3: LBE Parking PCNs issued in the last three financial years

2018/19	2018/17	2016/17	Percentage Variance
100,134	92,102	70,608	41.8%

During this period while the number of PCNs issued has been steadily increasing, the Council's statistics for formal appeals to the adjudication service has improved.

In 2018/19, 0.53% of PCNs issued were formally appealed, compared to 0.76% of PCNs in 2016/17.

The average appeal rate across London for Parking PCNs in 2018/19 was 0.58%.

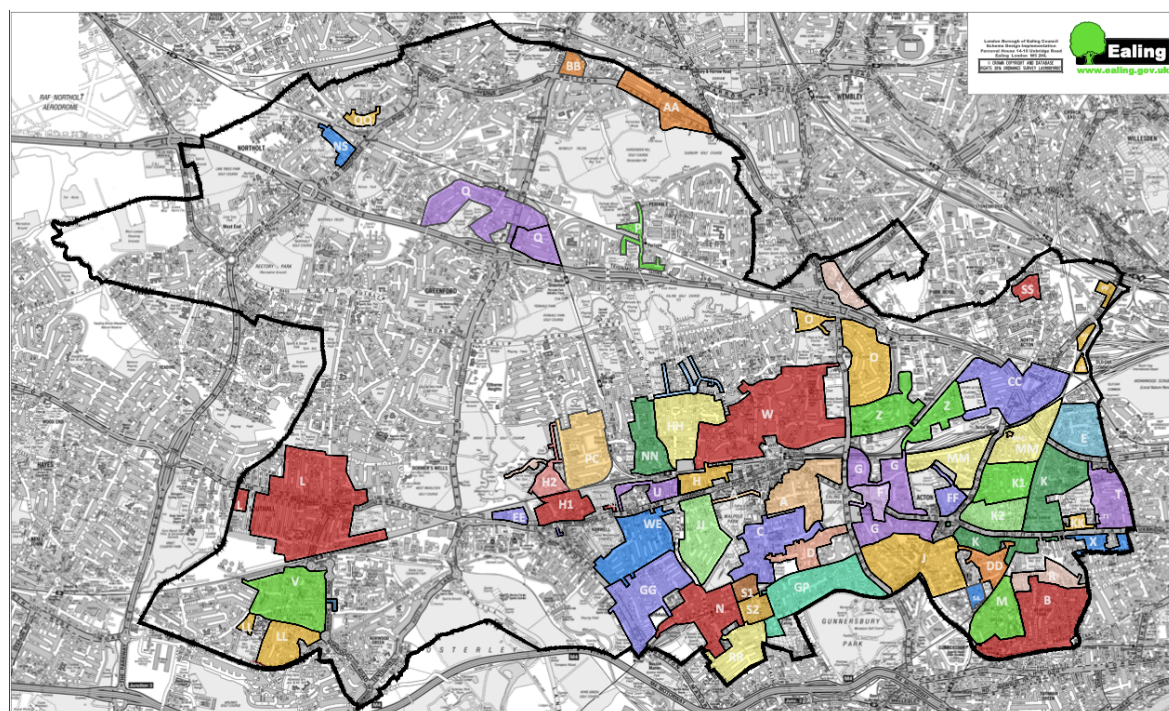
Enforcement Context:

Approximately a third of the borough is controlled by either Controlled Parking Zones or yellow lines and stop and shop restrictions. These are located in and around residential areas, transport hubs and shopping areas and for the most part, are mature schemes that have been in place since the 1990's. More recent schemes typically have been smaller, addressing very localised issues and often only in force for an hour or two per day.

The Council also operates 17 off-street car parks which include two multi-story car park in the main town centre of Ealing and Southall.

A contractor manages enforcement on behalf of the Council, primarily through the use of Civil Enforcement Officers who are deployed either on foot or mobile fleet vehicles. Additional CCTV assets are used, mainly for Moving Traffic and Bus Lane enforcement. Fig 4 gives an overview of the CPZ network in Ealing.

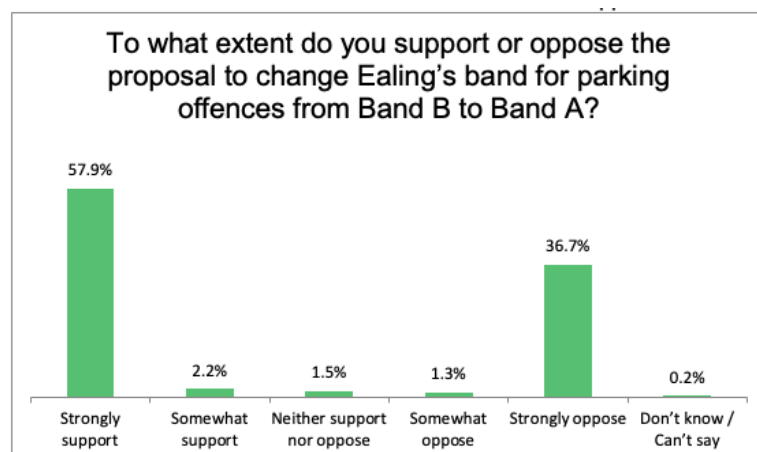
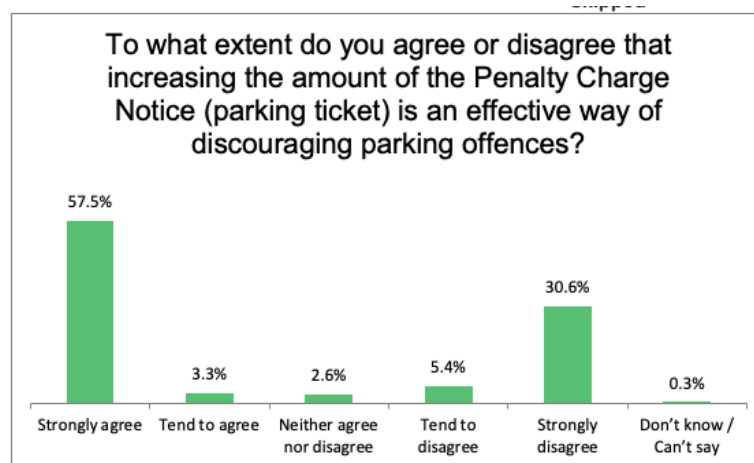
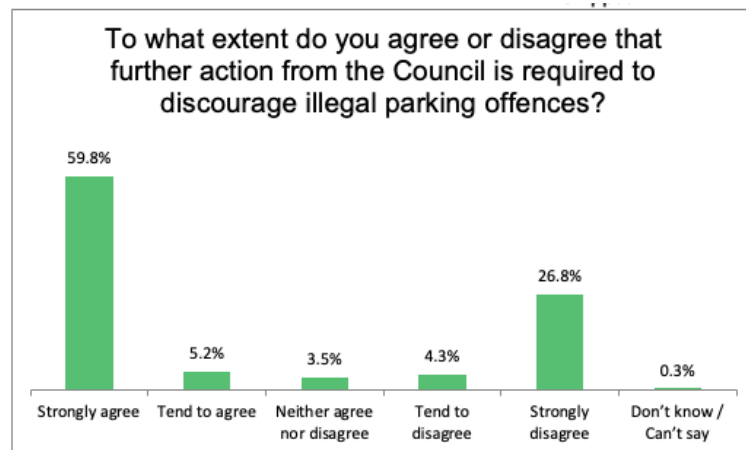
Fig 4



Consultation:

As part of the Council's consideration in making this application, we carried out an online consultation. That consultation ran during December 2019 and January 2020. A total of 960 responses were received.

The consultation gathered standard background information on the respondents and asked three specific questions related to parking and the value of the Penalty Charge amount.



Across all three questions, there was strong support for action from the Council, including a move from Band B to Band A.

As a combined single score, the results average as:

- 62% In favour
- 35% Opposed
- 3% Neutral / Don't Know / Can't Say

The full consultation questionnaire and supporting information is attached as Appendix 2

Impact of Redevelopment and Regeneration

With excellent transport links, Ealing is already a great place to live, work and visit. The Council is investing millions to further improve its town centres, housing estates and local neighbourhoods looking to build on the strengths of the borough's economy to help develop employment and business opportunities.

Acton, Southall and Ealing town centres have all seen and will continue to see significant modernisation and regeneration; however, for the larger part, this activity has not had a detrimental effect on the parking stock. Very few parking places have been lost to redevelopment, and the impact of development is routinely considered against transport and traffic issues.

The Council does not believe that its regeneration activity had led to the increased levels of non-compliance that are being observed. However, equally, the Council does not see any significant opportunity to provide additional parking capacity in the foreseeable future.

Details of regeneration activities in Ealing can be found at:

<https://www.ealing.gov.uk/info/201163/regeneration>

Equalities

The Council has considered the impact that this change may have across different groups with the community and in particular concerning its duties arising in the Equalities Act 2010.

A relevance test has been carried out by officers, and it is considered that there will be no disproportionate impacts on those population groups with protected characteristics arising as a result of these proposals.

The Council noted that Band A arrangements are already in place in several other London boroughs and have been for some time without any apparent adverse impact in respect to their obligations under the Equalities Act 2010.

It is further noted that forty-six survey respondents identified themselves as Disabled with 95% (of this group) of those also identifying as residents.

Of this group, 67.4% felt that the Council need to take further action to discourage illegal parking, and 63% Strongly Supported the Council's application to move from Band B to Band A. A move to Band A would increase the Penalty Amount applicable to Disabled Bays from £110 / £55 to £130 / £65, increasing the deterrent effect and improving compliance.

Council considers that there is no need for a full Equalities Impact Assessment to be carried out.

Boundary Roads

Ealing had boundaries with five other London Boroughs:

- Brent (Band B)
- Hammersmith & Fulham (Band A)
- Hillingdon (Band B)
- Hounslow Band B – applying for Band A)
- Harrow (Band B)

Hammersmith & Fulham is already a Band A borough, and as such, this change simplifies existing boundary issues.

Brent, Hillingdon, Hounslow and Harrow are Band B Boroughs and as such this change may have an impact on shared boundary roads.

Ealing understands that Hounslow is also making a Band A application and should both applications be approved, this would greatly simplify the Ealing / Hounslow boundary issue, giving a common Ealing, Hounslow and Hammersmith & Fulham Zone Band A area.

In respect to the remaining Band B neighbouring boroughs, there is a longstanding treatment for such roads (where banding differs from one authority to the next) including installing boundary signage or operating those roads as the lower band.

Ealing had already carried out an initial survey of the affected streets and has not observed anything that would cause difficulty in complying with the traditional treatments for such roads.

A schedule of boundary roads has been supplied to London Council officers for review and is attached as Appendix 3.

Should our application be approved by the Transport and Environment Committee, Ealing will provide additional resource to work with London Councils officers to produce a detailed schedule of treatment for approval by The Mayor's Office.

Neighbouring Boroughs

The Council is aware that at least one of its neighbours (Hounslow) is considering similar applications to re- band.

The London Borough of Hounslow to our south already has as mixed Band A / B enforcement environment with the Band A activity centring around Twickenham Stadium event days. In common with Ealing, Hounslow has also experienced above-average growth in the number of instances of non-compliance observed, and corresponding PCNs issued.

While their application is entirely a matter for themselves, it supports a picture of increasing pressure on parking across the West London area that is manifesting as increased non-compliance and issuance of increasing numbers of PCNs.

We further note that the Borough of Brent to our north has also experienced above-average growth in PCN numbers in the past three years, placing Ealing at the geographical centre of a compliance hotspot in West London.

Conclusion:

In locations with greater demand and higher levels of parking pressure, an increased level of penalty can act as a deterrent to stem the ever-increasing number of parking contraventions in the borough - the reasoning behind the two banding levels in London in the first instance.

With Ealing experiencing significant parking pressure across the borough that in turn is resulting in increasing levels on Non-Compliance, banding needs addressing.

Moving from Band B to Band A will increase the deterrent effect of the PCN and in turn increase compliance with the restrictions, an outcome that is core to the reasons for restrictions in the first place.

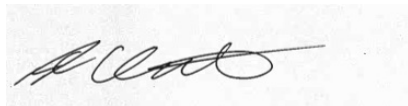
The Council's proposal for the change has the support of the community who have indicated a strong link between the value of the PCN and the deterrent effect in the form of the consultation results.

Request:

It is requested that London Council's Transport and Environment Committee agree in permitting a change to the London Borough of Ealing's PCN bands from Band B to Band A, to achieve the outlined compliance goals above.

With the Transport and Environment Committee approval, London Councils and Ealing officers will agree on timescales for advancing this request to the Greater London Authority and onwards, to the Secretary of State.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tony Clements', is written over a light grey rectangular background.

Tony Clements
Executive Director Place
London Borough of Ealing

E: tony.clements@ealing.gov.uk

Appendix 1 – London Parking PCNs

Ealing	2018/19	2016/17	Variance	Percentage Variance
	100,134	70,608	29,526	41.82%
Rest of London	2018/19	2016/17	Variance	Percentage Variance
Barking & Dagenham	54,042	47,908	6,134	12.80%
Barnet	129,667	148,843	-19,176	-12.88%
Bexley	45,755	51,406	-5,651	-10.99%
Brent	118,352	105,584	12,768	12.09%
Bromley	56,460	71,117	-14,657	-20.61%
Camden	183,924	200,053	-16,129	-8.06%
City of London	53,098	52,919	179	0.34%
Croydon	105,243	90,638	14,605	16.11%
Enfield	68,195	59,335	8,860	14.93%
Greenwich	42,400	38,885	3,515	9.04%
Hackney	86,784	76,768	10,016	13.05%
Hammersmith & Fulham	148,806	131,881	16,925	12.83%
Haringey	153,320	128,577	24,743	19.24%
Harrow	104,547	98,226	6,321	6.44%
Havering	62,553	57,979	4,574	7.89%
Hillingdon	55,025	67,465	-12,440	-18.44%
Hounslow	100,916	81,281	19,635	24.16%
Islington	163,004	147,306	15,698	10.66%
Kensington & Chelsea	200,004	204,822	-4,818	-2.35%
Kingston	69,271	62,417	6,854	10.98%
Lambeth	123,544	107,067	16,477	15.39%
Lewisham	54,664	47,313	7,351	15.54%
Merton	68,525	66,489	2,036	3.06%
Newham	145,910	120,252	25,658	21.34%
Redbridge	118,388	92,661	25,727	27.76%
Richmond	67,343	66,718	625	0.94%
Southwark	88,306	77,828	10,478	13.46%
Sutton	29,230	25,866	3,364	13.01%
Tower Hamlets	93,547	98,393	-4,846	-4.93%
Transport for London	425,803	371,969	53,834	14.47%
Waltham Forest	100,273	66,147	34,126	51.59%
Wandsworth	128,330	133,178	-4,848	-3.64%
Westminster	258,980	271,533	-12,553	-4.62%
Total	3,704,209	3,468,824	235,385	6.79%

Appendix 2 - Ealing PCN Rebanding Consultation

Supplied as a separate document

Appendix 3 – Schedule of Band B Boundary Roads

Road	Boundary	Current Status
Windmill Lane	Hounslow	Band B
Boston Road	Hounslow	Band B
Windmill Road	Hounslow	Band B
Little Ealing Lane	Hounslow	Band B
Ealing Road	Hounslow	Band B
Occupation Lane	Hounslow	Band B
Popes Lane	Hounslow	Band B
Gunnersbury Lane	Hounslow	Band B
Bollo Lane	Hounslow	Band B
St Albans	Hounslow	Band B
The Avenue	Hounslow	Band B
Western Road	Hounslow	Band B
Regina Road	Hounslow	Band B
Thorncliffe Road	Hounslow	Band B
Norwood Road	Hounslow	Band B
Station Road	Brent	Band B
Harley Road	Brent	Band B
Acton Lane	Brent	Band B
North Acton Road	Brent	Band B
Abbey Road	Brent	Band B
Coronation Road	Brent	Band B
Twyford Abbey Road	Brent	Band B
Brentmead Gardens	Brent	Band B
Ealing Road	Brent	Band B
Alperton Lane	Brent	Band B
Manor Farm Road	Brent	Band B
Whitton Avenue East	Brent	Band B
Allendale Road	Brent	Band B
The Rise	Brent	Band B
Greenford Road	Harrow	Band B
Wood End Gardens	Harrow	Band B
Russell Road	Harrow	Band B
Whitton Avenue West	Harrow	Band B
Dabbs Hill Lane	Harrow	Band B
Doncaster Drive	Harrow	Band B
Field End Road	Hillingdon	Band B
Kingshill Avenue	Hillingdon	Band B
Ayles Road	Hillingdon	Band B
Bryant Road	Hillingdon	Band B
Yeading Lane	Hillingdon	Band B
Canberra Drive	Hillingdon	Band B
Broadmead Road	Hillingdon	Band B
Ballinger Way	Hillingdon	Band B
Bulls Bridge Road	Hillingdon	Band B

Consultation on Penalty Charge Notice (PCN) Re-Banding in Ealing

Background

Currently, two levels of charging operate within London for parking Penalty Charge Notices (PCN), which are more commonly known as parking tickets. The two-levels are Band A (the higher level of charge) and Band B (the lower level of charge).

The London Borough of Ealing is a Band B borough for parking offences meaning that the lower set of charges apply, as shown in Table 1 below.

Within each band, there is a further higher / lower split for offences that are perceived to be more or less serious. In general terms, less serious offences tend to be things like overstaying in a car park or Pay & Display Bay, while more serious offences tend to be things like parking in a Bus Stop or Disabled Bay. In all instances, a 14-day 50% discount rule applies for early payments.

The higher and lower charges for both Bands are shown in Table 1 below alongside the discounted charges:

Table 1: Comparison of Band A and Band B PCN charges

PCN Band Level	Higher charge	Discount higher charge	Lower charge	Discount lower charge
B (Current level)	£110	£55	£60	£30
A (Proposed level)	£130	£65	£80	£40

The charging bands were last reviewed in 2011 and have not changed since then. The bands apply only to Parking contraventions, as all Bus Lane and Traffic offences are already at the Band A level across all London Boroughs.

In real terms, this means that a PCN issued for overstaying in a Car Park could be settled at £30 or for parking in a Disabled Bay for £55 within a Band B borough.

Figure 1: Existing on-street penalty charge-bands in London



Figure 1 shows the split of Band A / B councils across London. When considering the banding map of London Boroughs, it should be noted that the London Boroughs of Barnet and Hounslow are currently conducting public consultations on Re-Banding to Band A.

The objective of any well-functioning parking operation should be to gain and maintain compliance with the restrictions. In simple terms, compliance is achieved through a combination of clear, well-maintained and appropriate restrictions supported by a robust and fair enforcement regime. As time passes and compliance increases, the number of parking tickets issued should reduce, as the majority of motorists follow the regulations.

The London Borough of Ealing has instead experienced considerable growth in the number of parking tickets (PCNs) issued each year for the past few years, with a raise of 41.8% observed between 2016 and 2018 (see Table 2 below). Across the rest of London, the increase for the same period was 6.8%.

Table 2: Total number of PCNs issued in the last three financial years

2018/19	2018/17	2016/17	Percentage Variance
100,134	92,102	70,608	41.8%

While some of this increase may be due to improved detection by the enforcement team, the more substantial part is likely due to the decreased deterrent effect of the value of the PCN which has not increased since 2011.

The council believes that an increase in the penalty amount is likely to restore the deterrent effect of the PCN. This will, in turn, result in higher levels of compliance and an overall reduction in the number of PCNs issued. In practice, this means moving from the current Band B to the higher value Band A.

The council is, therefore, proposing to apply to the relevant authorities to re-band the borough of Ealing from Band B to Band A for parking contraventions.

Your views

This consultation is designed to gather opinions on the proposed change to the Penalty Charge amount and to inform any application to change bands to TEC, The Mayor of London's Office and The Secretary of State.

You can submit your views on the proposed change to the Penalty Charge amount by completing the short survey below.

This consultation will be open until 30 January 2020.

What happens next

The results of this consultation will be fed back to ward councillors who will then make the decision on whether or not to apply to the Secretary of State to change the PCN bands in Ealing. Any application to the Secretary of State is also subject to the prior approval of the Mayor of London. If an application is progressed and successful, it is unlikely that any change would take effect before the start of Quarter 2 2020/21

Further information

If you would like further information on the consultation, please contact Parking Services via email – parkingservices@ealing.gov.uk. Please mark the subject of the email as 'Parking Consultation'.

Draft Consultation Questions

Introduction

The council is proposing to apply to the relevant authorities to re-band the borough of Ealing from Band B to Band A for parking contraventions.

The survey should take about 5 minutes to complete. All the information you provide as part of the public consultation will be used and stored in accordance with the Data Protection Act 2018 (incorporating the EU's GDPR).

This consultation will be open until 30 January 2020.

Your interest

1. Please select the statement(s) that apply to you:

- ☐ I live in Ealing
- ☐ I work in Ealing
- ☐ I visit or pass through Ealing
- ☐ I run a business/organisation in Ealing
- ☐ I work in a community or voluntary sector organisation
- ☐ I work for a public sector organisation
- ☐ Other (please specify)

2. To what extent do you agree or disagree that further action from the Council is required to discourage illegal parking offences?

- ☐ Strongly agree
- ☐ Tend to agree
- ☐ Neither agree nor disagree
- ☐ Tend to disagree
- ☐ Strongly disagree
- ☐ Don't know / Can't say

Please let us know the reasons for your answer below:

3. To what extent do you agree or disagree that increasing the amount of the Penalty Charge Notice (parking ticket) is an effective way of discouraging parking offences?

- ☐ Strongly agree
- ☐ Tend to agree
- ☐ Neither agree nor disagree
- ☐ Tend to disagree
- ☐ Strongly disagree
- ☐ Don't know / Can't say

Please let us know the reasons for your answer below:

4. To what extent do you support or oppose the proposal to change Ealing's band for parking offences from Band B to Band A?

- ☐ Strongly support
- ☐ Somewhat support
- ☐ Neither support nor oppose
- ☐ Somewhat oppose
- ☐ Strongly oppose
- ☐ Don't know / Can't say

5. In your opinion, what other measures could be useful in discouraging parking offences?

6. If you have any other comments about the proposed increase to the cost of the Penalty Charge Notice in Ealing, please let us know below:

About you

Please tell us a little about yourself. This information helps us to ensure we can make research and consultation more accessible and inclusive. All personal information is kept entirely confidential and is used for research purposes only. It will not be transferred to any third party.

7. Please let us know what your postcode is:

(We ask for this information so we can analyse responses by area)

8. What is your age group?

- ☐ Under 18
- ☐ 18-24
- ☐ 25-34
- ☐ 35-44
- ☐ 45-54
- ☐ 55-64
- ☐ 65+
- ☐ Prefer not to say

8. Are you:

- ☐ Male
- ☐ Female
- ☐ Prefer not to say
- ☐ Prefer to self-describe

Disability

The Equality Act 2010 defines a person as having a disability if s/he 'has a long term physical or mental impairment which has a substantial and long-term adverse effect on his/her ability to carry out normal day to day activities'.

9. Do you consider yourself to have a disability?

- ☐ Yes
- ☐ No
- ☐ Don't know/ can't say
- ☐ Prefer not to say

10. Which ethnic group do you consider you belong to?

- ☐ White - English, Welsh, Scottish, Northern Irish, British
- ☐ White - Irish
- ☐ White - Gypsy/Irish Traveller
- ☐ White - Other
- ☐ Any other White background
-
- ☐ Mixed/ multiple ethnic groups - White and Black Caribbean
- ☐ Mixed/ multiple ethnic groups - White and Black African
- ☐ Mixed/ multiple ethnic groups - White and Asian
- ☐ Any other Mixed/ multiple ethnic background

-
- ☐ Asian/ Asian British - Indian
- ☐ Asian/ Asian British - Pakistani
- ☐ Asian/ Asian British - Bangladeshi
- ☐ Asian/ Asian British - Chinese
- ☐ Any other Asian background

-
- ☐ Black/ African/ Caribbean/ Black British - African
- ☐ Black/ African/ Caribbean/ Black British - Caribbean
- ☐ Any other Black/ African/ Caribbean background

-
- ☐ Other ethnic group – Arab
- ☐ Any other ethnic group

From: Councillor Manuel Abellan [REDACTED]
Sent: 23 March 2020 10:47
To: Alan Edwards [REDACTED]
Cc: [REDACTED] Spencer Palmer
Subject: Re: TEC Urgency Procedures

Hi Alan,

I'm happy to agree these as per the recommendations in the reports.

Regards,

Manuel Abellan
Liberal Democrat Councillor for Beddington South Ward
Chair of the Environment & Neighborhood Committee

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On Fri, Mar 20, 2020 at 12:39 PM Alan Edwards [REDACTED] wrote:

Dear TEC Elected Officers. Please find attached the following items that will need to be agreed under the TEC Urgency Procedure, owing to the cancellation of the TEC meeting on 19 March 2020.

- HGV Safety Permit Scheme: Approval of Arrangements for the Administration & Enforcement by Transport for London Councils
- Freedom Pass Progress Report, and
- Additional Parking Charges: London Boroughs of Ealing and Hounslow (appendices can be found in the papers previously sent to you)

I would be grateful if you could send back your responses, via email, by **Friday 27 March 2020**.

Regards

Alan Edwards

Governance Manager

London Councils

Sadiq Khan
Mayor of London
Greater London Authority
City Hall
The Queen's Walk
London
SE1 2AA

Contact: Spencer Palmer

Direct line: [REDACTED]

Email: [REDACTED]

Date: 29 April 2020

Dear Mr Khan,

Additional parking penalties and related charges for the London Borough of Ealing

On 27 March 2020, London Councils' Transport and Environment Committee (TEC), under the TEC Urgency Procedure, (owing to the cancellation of the full meeting on 19 March 2020) agreed a proposal for changing the level of Additional Parking Charges applicable on borough roads in the London Borough of Ealing. The report considered by the Committee is attached for information.

The report sets out Ealing's proposal to change from penalty charge Band B to Band A across the borough. This change is intended to help improve compliance with essential traffic and parking management measures. I am therefore writing to request your approval of the proposed banding change set out above in accordance with the Traffic Management Act 2004.

Ealing do not yet have an intended implementation date for the new banding but will not implement the change until the current Covid-19 social distancing measures are lifted and there is a return to normal traffic and parking operations. However, they are hopeful that the revised charges could be introduced later this year and want to progress this matter as far as possible in the meantime. It would be beneficial therefore, if you were able to consider this matter at the earliest opportunity so the legal process can continue.

Should you require any further information, please do not hesitate to contact me.

Yours sincerely,



Spencer Palmer
Director, Transport and Mobility

Cc: Heidi Alexander – Deputy Mayor for Transport

GREATER LONDON AUTHORITY

Spencer Palmer

spencer.palmer@londoncouncils.gov.uk

Ref: MGLA290420-0448

Date: 15 June 2020

Dear Spencer,

Thank you for your letter to the Mayor, copied to the Deputy Mayor for Transport, on behalf of the London Borough of Ealing to amend parking charges in the borough.

I would like to confirm that this request and supporting evidence has been received. Having analysed the information provided and with a view to ensuring consistency in the decisions taken by the Mayor in this regard, I would like to request the following information:

- The information provided in the submission covers the financial year 2018/19. Is any updated information about PCNs issues in 2019/20 (or part year) available and any analysis from the borough of whether trends are continuing?
- The submission does not reference any consultation undertaken with stakeholders, including neighbouring local authorities. Could you please confirm if any were contacted as part of the consultation process?
- Could you provide a copy of the minutes of the London Councils Transport and Environment Committee where the urgent procedure is approved?

Lastly, as you are aware under section 149 of the Equality Act 2010 ('the Equality Act'), as a public authority, the Mayor must have due regard, when making a decision, to the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. Our analysis suggests there could be further consideration of the impact of the proposal on people with protected characteristics. While the impact on individuals with protected characteristics who don't park unlawfully appears to have been identified, the impact on individuals with protected characteristics who park unlawfully doesn't appear to have been expressly identified. To ensure this duty is met, it would be helpful for the authority to consider any possible detrimental impact on people with protected characteristics, ensure this has been fully considered in the decision making and that this is fully represented in the information provided to the Mayor. This might include consideration of the impact on, for example: pregnant or older drivers who may have a higher propensity to park illegally for accessibility reasons, whilst not being disabled; those with a poorer understanding of English who may be less likely to understand the restrictions; younger drivers who

generally have a lower disposable income and who may find it more difficult to pay. There will be other considerations relevant to the local authority and their community.

As I am sure you can appreciate, in these unprecedented times capacity to analyse the information provided and conclude the decision-making process is affected, so it may take longer than we would hope. Thank you for your patience.

Yours sincerely,

Tim Steer

Assistant Director

Transport, Infrastructure and Connectivity Unit

No	Question	Ealing & Hounslow Response
1	<p>The information provided in the submission covers the financial year 2018/19. Is any updated information about PCNs issues in 2019/20 (or part year) available and any analysis from the borough of whether trends are continuing?</p>	<p>The submissions from both boroughs contained the most recent full-year figures available at the time of drafting as this took place during the 2019/20 year.</p> <p>During the 2019/20 year, both boroughs mobilised new parking enforcement contracts as well as Parking IT, Parking Payment and Enforcement Agents which involved numerous changes for the process, contractors and operations (in the short term). In Ealing there was also a change of main contractor.</p> <p>Additionally, both boroughs were also subjected to prolonged (and possibly coordinated) industrial dispute with their (contractors) workforce that has only recently been resolved. These factors combined to produce significant underperformance within both enforcement teams, but particularly Ealing, with Ealing issuing 63,689 Parking PCNs for 2019/20 and Hounslow issuing 99,628 Parking PCNs.</p> <p>Ealing in effect experienced a full year of (industrial relations) disruption that has only recently concluded, whereas in Hounslow that action only manifested towards the latter part of the year.</p> <p>As example the LB Hounslow Parking PCN figure for the eight months April – November 2019/20 was 74, 386 compared with 66, 311 for the same period the year before. Had these factors not impacted on service delivery, the Council's expectation that the full-year outturn for Parking PCNs in 2019/20 would have been 113,250. This would have represented a further increase of 12.2% on the previous year and a total uplift of 39.3% from the baseline year of 2016/17</p> <p>There was an additional smaller impact in both boroughs towards the latter part of March 2020 as COVID and Lockdown took effect.</p> <p>This in no way detracts from the necessity to make this (banding) change and in fact, introduced a new element of urgency.</p> <p>The focus for both boroughs (from a network and parking perspective) as we emerge from Lockdown is to prepare for the expected challenge that we expect to see in September. The network in both boroughs is likely to come under unprecedented pressure as the nation returns to normal or perhaps better phrased as "its new normal". Neither Council had seen any evidence to lead them to believe that the pressure on their parking resource will recede. Both councils feel that the contrary is more likely to occur with event more pressure being exerted across the network.</p>

		<p>We attach an excerpt from a TfL press briefing which objectively sets out the challenges facing London Boroughs. Ensuring compliance is as high as possible will be critical to ensuring the network works as effectively as possible. We believe that increasing the PCN value (which we were seeking to do before this occurrence) will act as an essential lever in this challenge. Both boroughs would like to have this change in place as part of that preparation for September, in particular in respect to the enforcement of mandatory cycle lanes with Approved Devices.</p> <p>TfL – Press Background Release</p> <p>With London’s public transport capacity potentially running at a fifth of pre-crisis levels, millions of journeys a day will need to be made by other means. If people switch only a fraction of these journeys to cars, London risks grinding to a halt, air quality will worsen, and road danger will increase.</p> <p>To prevent this from happening, TfL will rapidly repurpose London's streets to serve this unprecedented demand for walking and cycling in a major new strategic shift.</p> <p>Early modelling by TfL has revealed there could be more than a 10-fold increase in kilometres cycled, and up to five times the amount of walking, compared to pre-COVID levels, if demand returns.</p> <p>TfL, working with London’s boroughs will make changes - unparalleled in a city London’s size – to focus on three key areas:</p> <ul style="list-style-type: none"> • The rapid construction of a strategic cycling network, using temporary materials, including new routes aimed at reducing crowding on Underground and train lines, and on busy bus corridors. • A complete transformation of local town centres to enable local journeys to be safely walked and cycled where possible. Wider footways on high streets will facilitate a local economic recovery, with people having space to queue for shops as well as enough space for others to safely walk past while socially distancing. • Reducing traffic on residential streets, creating low-traffic neighbourhoods right across London to enable more people to walk and cycle as part of their daily routine, as has happened during Lockdown.
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2	<p>The submission does not reference any consultation undertaken with stakeholders, including neighbouring local authorities. Could you please confirm if any were contacted as part of the consultation process?</p>	<p>Neither Council undertook specific formal consultation with neighbouring boroughs before the application to London Councils' Transport & Environment Committee (TEC), which is a non-legislative step.</p> <p>A public consultation was carried out which was open to all to participate in, including other London Councils. However, there was no real expectation that councils would engage through that medium.</p> <p>Each borough prepared an initial application which was sent to London Councils' Transport & Environment Committee (TEC) which has a representative from each of the councils that make up London. Councils are free to review, comment, express opinion on, or object to, any matter that goes before TEC, including applications to re-band PCN values. Both Ealing and Hounslow viewed that as an appropriate process to engage with its neighbours and indeed the broader collective of London Councils at the same time and in the same manner.</p> <p>No expressions of concern were received, and both boroughs consider this process to be an effective consultation opportunity and process.</p>
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3	<p>Lastly, as you are aware under section 149 of the Equality Act 2010 ('the Equality Act'), as a public authority, the Mayor must have due regard, when making a decision, to the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. Our analysis suggests there could be further consideration of the impact of the proposal on people with protected characteristics. While the impact on individuals with protected characteristics who don't park unlawfully appears to have been identified, the impact on individuals with protected characteristics who park unlawfully doesn't appear to have been expressly identified. To ensure this duty is met, it would be helpful for the authority to consider any possible detrimental impact on people with protected characteristics, ensure this has been fully considered in the decision making and that this is fully represented in the information provided to the Mayor. This might include consideration of the impact on, for example: pregnant or older drivers who may have a higher propensity to park illegally for accessibility reasons, whilst not being disabled; those with a poorer understanding of English who may be less likely to understand the restrictions; younger drivers who generally have a lower disposable income and who may find it more difficult to pay. There will be other considerations relevant to the local authority and their community.</p>	<p>We have not seen the analysis you refer to in this question; however, can comment:</p> <p>Both boroughs see this change as a positive step for both protected and non-protected communities.</p> <p>To specifically address the examples you provide both boroughs have in the past (and will continue to do so in the future) applied common-sense mitigations when considering matters pertaining to PCNs when dealing with, for example, pregnant or older drivers.</p> <p>Both enforcement teams are well trained and generally contain a high percentage of long service staff which results in a sophisticated and practical approach to dealing both on-street and within the back office with vulnerable and disadvantaged groups.</p> <p>Again both workforces reflect the diversity of their local communities which results in a high percentage of multilingual CEOs that are available to assist in the first instance should it be required, to achieve compliance with the regulations offering advice when required and applying a common-sense approach to their duties.</p> <p>Again, our back-office teams are well trained, and regularly accept mitigation in the types of cases you describe and will continue to do so going forward.</p> <p>As part of our preparation for this response, we have carried out an extensive search of other London Enforcement Authorities public records.</p> <p>We cannot find a single example of a Band A authority having cause to re-consider its banding status for reasons such as those given in your question. This gives both organisations a high degree of confidence that the example scenarios you outline can be managed effectively and without adverse impact on these communities.</p> <p>We also note that in the public consultation carried out as part of this process, of the respondents that specifically identified themselves as "Disabled", 63% Strongly Agreed with this change.</p> <p>We further note that the cost of running a car in London is placed between £1,500 - £2,500 per year (dependent on mileage, fuel type, insurance cover, permit cost etc.) excluding the cost of the vehicle.</p> <p>With each car in London on average receiving a PCN every other year, the £10 variance between Band A and Band B (every two years) is highly unlikely to be the defining financial consideration in respect to motoring (discounted payment rate for both Higher and Lower contraventions), whereas the percentage increase from a PCN perspective is notable and should drive change (the logic of the existing Band A councils).</p>
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From: Claire Hamilton [REDACTED]
Sent: 13 November 2020 09:24
To: [REDACTED] Tim Steer [REDACTED]
Cc: [REDACTED]
Subject: RE: Response from Ealing and Hounslow re Band Change Request

[REDACTED]

Having reviewed the additional information, I have a short follow up for Ealing – are you able to pass this on and provide a response? In their initial letter to the Mayor dated 29 April 2020 they noted that they did not have an intended implementation date. In their most recent correspondence they refer to September, given the anticipated impact on traffic levels and pressure on parking coming out of lockdown. I appreciate there has been many months and changing situations with Covid-19 in between that letter and now given there was some delay in receiving this. Please could the borough confirm if they have a new implementation date in mind and provide a brief explanation for this?

We'll start processing the necessary materials for this pending that follow up, as we can reflect in the materials once received.

Please note we are still reviewing the material in light of Hounslow's original request and the additional materials and I'll be in touch if there's any follow up.

Thanks

Claire

From: Gina Cole
Sent: 16 November 2020 10:21
To: [REDACTED]
Cc: [REDACTED]
Subject: Response from Ealing and Hounslow re Band Change Request

Dear Claire

Thank you for your email of 13th November 2020.

Ealing council proposed new date would be 1st February 2020 for the introduction of the new band change.

We are again noticing a more higher rate of none compliance within the borough. The introduction of the new band charges will aid with improving compliance and meet our transport strategy in reducing vehicles on our roads.

February would also be the most practical for Ealing to make any internal changes.

Regards
Gina Cole
Head of Parking Services
Place Delivery

Ealing Council

T: [REDACTED]

F: [REDACTED]

E: [REDACTED]

From: Gina Cole [REDACTED]

Sent: 16 November 2020 10:22

To: Claire Hamilton [REDACTED]

Cc: [REDACTED]

Subject: RE: Response from Ealing and Hounslow re Band Change Request

Dear Claire

Apologies, the email should have stated 1st February 2021.

Regards

Gina Cole
Head of Parking Services
Place Delivery
Ealing Council

T: [REDACTED]

F: [REDACTED]

E: [REDACTED]

Equalities Impact Assessment

1. Proposal Summary Information

EIA Title	London Borough of Ealing, Parking Penalty Charge Notice Re-Banding
Please describe your proposal?	To Re-Band Parking Penalty Charge Notices from the current Band B to the higher Band A
Is it HR Related?	No
Corporate Purpose	Officer Decision
Date	December 2019
Prepared By	Kevin Hagan

1. What is the proposal looking to achieve? Who will be affected?

Currently, two levels of charging operate within London for parking Penalty Charge Notices (PCN), which are more commonly known as parking tickets. The two-levels are Band A (the higher level of charge) and Band B (the lower level of charge).

The London Borough of Ealing is a Band B borough for parking offences meaning that the lower set of charges apply, as shown in Table 1 below. This proposal would see Ealing move into the Higher Band A from its current Band B.

Within each Band, there is a further higher / lower split for offences that are perceived to be more or less serious. In general terms, less serious offences tend to be things like overstaying in a car park or Pay & Display Bay, while more serious offences tend to be things like parking in a Bus Stop or Disabled Bay. In all instances, a 14-day 50% discount rule applies for early payments.

The higher and lower charges for both Bands are shown in Table 1 below, alongside the discounted charges:

Table 1: Comparison of Band A and Band B PCN charges

PCN Band Level	Higher charge	Discount higher charge	Lower charge	Discount lower charge
B (Current level)	£110	£55	£60	£30
A (Proposed level)	£130	£65	£80	£40

This proposal would see Ealing move into the Higher Band A from its current Band B

Equalities Impact Assessment

The charging bands were last reviewed in 2011 and have not changed since then. The bands apply only to Parking contraventions, as all Bus Lane and Traffic offences are already at the Band A level across all London Boroughs.

In real terms, this means that a PCN issued for overstaying in a Car Park could be settled at £30 or for parking in a Disabled Bay for £55 within a Band B borough.

In recent years Ealing has experienced a substantial increase in the demand placed on its parking stock both on and off-street. Increasing population, development and economic vibrancy all contribute to add pressure to a finite resource. In parallel to this increased demand, we have also experienced an increase in non-compliance with parking restrictions. This has manifested itself in an ever-increasing number of Parking Penalty Charge Notices (PCNs) being issued each year for the past few years.

In the three years between 2016/17 and 2018/19 Parking PCN levels have risen by 41.8%. Across the rest of London, the increase for the same period was 6.8%.

LBE Parking PCNs issued in the last three financial years

2018/19	2018/17	2016/17	Percentage Variance
100,134	92,102	70,608	41.8%

A ReBanding to Band A will present an increased deterrent to illegal parking, thereby improving compliance with the restrictions. This may result in a reduced number of Penalty Charge Notices being issued, which may or may not have a financial impact on the Local Authority.

Two groups will be mainly impacted by this change one directly, one indirectly.

Direct Impact

This change will directly impact the driver or keeper of a vehicle that receives a Penalty Charge Notice for illegal parking. They will see an increase of £10 in the basic amount they can settle a Penalty Charge Notice.

Equalities Impact Assessment

Indirect Impact

Several groups should see an indirect **Positive** impact from this change as compliance improves. They would include:

- Disabled Motorists – as non-compliance in Disabled Bays will carry a higher penalty and therefore be discouraged to a greater degree.
- Public Transport Users – as illegal parking in Bus Stops will carry a higher penalty and therefore be discouraged to a greater degree reducing the incidents where buses are unable to pull to the kerb, which in turn reduces the inconvenience experienced by wheelchair users, pushchair/buggy users and the elderly.
- Pedestrians, particularly wheelchair users and pushchair/buggy users - as illegal parking on footways will carry a higher penalty and therefore be discouraged to a greater degree, reducing the instances that they will have to manoeuvre around illegally parked cars (often by using the carriageway)

Equalities Impact Assessment

2. What will the impact of your proposal be?

The primary impact will be to increase the Parking Penalty Charge Amount per the following table.

PCN Band Level	Higher charge	Discount higher charge	Lower charge	Discount lower charge
B (Current level)	£110	£55	£60	£30
A (Proposed level)	£130	£65	£80	£40

This would have the effect of making illegal parking less attractive and improve compliance with the restrictions across the borough. This would drive other secondary impacts for the groups outlined in Section 1.

Equalities Impact Assessment

2. Impact on Groups having a Protected Characteristic

AGE: *A person of a particular age or being within an age group.*

Positive, no negative impact is foreseen.

Describe the Impact

If a particular person is wholly or mostly dependent on car or vehicular travel (e.g., older people with a significant mobility impairment), this proposal is expected to have a **Positive** impact as the increased penalty will most likely drive higher compliance in Disabled Bays the majority of which are used by older people.

The impact on children is expected to be **Positive**. Road safety in the residential area is expected to be improved with greater compliance with the parking regulations, allowing more walking and cycling in the area.

For those who are able to walk and cycle and choose to utilise active travel modes, the scheme is expected to be **Positive** with an associated lower road safety risk.

Describe the Mitigating Action

The back office team who deal with Pre-NTO challenges and Formal Representations will receive additional training to allow them to identify any issues arising from this change as a result of this change.

DISABILITY: *A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out typical day to day activities¹.*

Positive, no negative impact is foreseen.

Describe the Impact

If a particular person is wholly or mostly dependent on car or vehicular travel (e.g., older people with a significant mobility impairment), this proposal is expected to have a **Positive** impact as the increased penalty will most likely drive higher compliance in Disabled Bays.

Equalities Impact Assessment

Describe the Mitigating Action
The back office team who deal with Pre-NTO challenges and Formal Representations will receive additional training to allow them to identify any issues arising from this change as a result of this change.

GENDER REASSIGNMENT: <i>This is the process of transitioning from one sex to another. This includes persons who consider themselves to be trans, transgender and transsexual.</i>
No additional impact
Describe the Impact
There is no clear evidence, data or rationale to expect that this proposal will have a differential impact on people with this characteristic.
Describe the Mitigating Action
The back office team who deal with Pre-NTO challenges and Formal Representations will receive additional training to allow them to identify any issues arising from this change as a result of this change.

RACE: <i>A group of people defined by their colour, nationality (including citizenship), ethnic or national origins or race.</i>
Positive impact (Low)
Describe the Impact
Data suggests that the BAME population is less likely to own a private motor vehicle more likely to use Public Transport, particularly the local Bus Network. This proposal is likely to have a positive impact on the efficient running of the bus network, thereby having a Positive impact on the users of that service.
Describe the Mitigating Action
The back office team who deal with Pre-NTO challenges and Formal Representations will receive additional training to allow them to identify any issues arising from this change as a result of this change.

Equalities Impact Assessment

RELIGION & BELIEF: <i>Religion means any religion. Belief includes religious and philosophical beliefs including lack of belief (for example, Atheism). Generally, a belief should affect a person's life choices or the way you live for it to be included.</i>
Low Positive Impact
Describe the Impact
<p>The council already has a well-developed system for facilitating parking as religious establishments and for religious events.</p> <p>Improved compliance with the prevailing parking restrictions will mean that motorists that are eligible to park under one these arrangements above may find it easier to find a space if compliance is higher than if it was lower.</p>
Describe the Mitigating Action
<p>The back office team who deal with Pre-NTO challenges and Formal Representations will receive additional training to allow them to identify any issues arising from this change as a result of this change.</p>

SEX: <i>Someone being a man or a woman.</i>
No additional impact
Describe the Impact
<p>There is no clear evidence, data or rationale to expect that this change will have a differential impact on people with this characteristic.</p>
Describe the Mitigating Action
<p>The back office team who deal with Pre-NTO challenges and Formal Representations will receive additional training to allow them to identify any issues arising from this change as a result of this change.</p>

SEXUAL ORIENTATION: <i>A person's sexual attraction towards his or her own sex, the opposite sex or to both sexes.</i>
No additional impact
Describe the Impact
<p>There is no clear evidence, data or rationale to expect that these works will have a differential impact on people with this characteristic.</p>
Describe the Mitigating Action

Equalities Impact Assessment

The back office team who deal with Pre-NTO challenges and Formal Representations will receive additional training to allow them to identify any issues arising from this change as a result of this change.

PREGNANCY & MATERNITY: *Description: Pregnancy: Being pregnant. Maternity: The period after giving birth - linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.*

No additional impact

Describe the Impact

There is no clear evidence, data, or rationale to expect that this change will have a differential impact on people with this characteristic.

While this group *may* have a greater reliance on the car due to some potential reduced mobility issues, no data would suggest that they are at a greater risk of receiving a Penalty Charge Notice.

Describe the Mitigating Action

The back office team who deal with Pre-NTO challenges and Formal Representations will receive additional training to allow them to identify any issues arising from this change as a result of this change.

MARRIAGE & CIVIL PARTNERSHIP: *Marriage: A union between a man and a woman. or of the same sex, which is legally recognised in the UK as a marriage*
Civil partnership: Civil partners must be treated the same as married couples on a range of legal matters.

No additional impact

Describe the Impact

There is no clear evidence, data or rationale to expect that these works will have a differential impact on people with this characteristic.

Describe the Mitigating Action

Not applicable.

Equalities Impact Assessment

3. Human Rights²

3a. Does your proposal impact on Human Rights as defined by the Human Rights Act 1998?

Articles 1 and Article 8 of the Protocol to the European Convention of Human Rights (which are enshrined in the 1998 Act) confirm as follows:

Article 1 "Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and the general principles of international law. The preceding provisions shall not, however, in any way impair the right of the state to enforce such laws as it deems necessary to control the use of property in accordance with the general interest...."

Article 8 "Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country. For the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others'.

To the extent that Articles 1 and/or 8 applies it is considered that moving to the higher Band A Parking Penalty Charge amount is justified in the public interest given the anticipated positive outcomes outlined above.

3b. Does your proposal impact on the rights of children as defined by the UN Convention on the Rights of the Child?

No

3c. Does your proposal impact on the rights of persons with disabilities as defined by the UN Convention on the rights of persons with disabilities?

Yes, the proposed change may have a **Positive** impact on persons with disabilities who drive a motor vehicle or use public transport (specifically buses) or use the footway particular if they use a wheelchair.

4. Conclusion

There are not expected to be any significant **Negative** impacts on any groups with protected characteristics, other than the impact seen by all motorists should they receive a PCN, i.e. an increase in £10 against the basic amount a PCN can be settled at.

The proposal does, however, deliver several secondary benefits that should have varying degrees of **Positive** impact for several groups with protected characteristics.

All impacts will be closely monitored, and any on-going adverse impacts will be reviewed for additional mitigating action.

Equalities Impact Assessment

4a. What evidence, data sources, and intelligence did you use to assess the potential impact/effect of your proposal? Please note the systems/processes you used to collect the data that has helped inform your proposal. Please list the file paths and/or relevant web links to the information you have described.

- https://www.ealing.gov.uk/info/201178/parking/763/contact_us_parking/1
- <http://content.tfl.gov.uk/BAME.pdf>
- <http://content.tfl.gov.uk/travel-in-london-report-11.pdf>

Appendix 1: Legal obligations under Section 149 of the Equality Act 2010:

- As a public authority, we must have due regard to the need to:
 - a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- The protected characteristics are: AGE, DISABILITY, GENDER REASSIGNMENT, RACE, RELIGION & BELIEF, SEX, SEXUAL ORIENTATION, PREGNANCY & MATERNITY, MARRIAGE & CIVIL PARTNERSHIP
- Having due regard to advancing equality of opportunity between those who share a protected characteristic and those who do not, involves considering the need to:
 - a) Remove or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - b) Take steps to meet the needs of persons who share a relevant characteristic that are different from the needs of the persons who do not share it.
 - c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- Having due regard to fostering good relations between persons who share a relevant protected characteristic and persons who do not, involves showing that you are tackling prejudice and promoting understanding.
- Complying with the duties may involve treating some people more favourably than others; but this should not be taken as permitting conduct that would be otherwise prohibited under the Act.